

Local Form 3015-1 (05/19)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Kathryn Irene Fossum

Case No.

CHAPTER 13 PLAN ☐ Modified

Dated: **May 13, 2019**

Debtor.

In a joint case, debtor means debtors in this plan.

Part 1. NOTICE OF NONSTANDARD PLAN PROVISIONS, SECURED CLAIM LIMITATIONS, AND LIEN OR SECURITY INTEREST AVOIDANCE: Debtor must check the appropriate boxes below to state whether or not the plan includes each of the following items:

1.1	A limit on the amount of a secured claim based on a valuation of the collateral for the claim, set out in Parts 9 or 17	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a security interest or lien, set out in Part 17	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 17	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included

Part 2. DEBTOR'S PAYMENTS TO TRUSTEE

- 2.1 As of the date of this plan, the debtor has paid the trustee \$ **0.00**.
- 2.2 After the date of this plan, the debtor will pay the trustee \$ **925.00** per **Month** for **48** months beginning in **June** of **2019** for a total of \$ **44,400.00**. The initial plan payment is due not later than 30 days after the order for relief.
- 2.3 The minimum plan length is ☐ 36 months or ☒ 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- 2.4 The debtor will also pay the trustee **0.00**.
- 2.5 The debtor will pay the trustee a total of \$ **44,400.00** [lines 2.1 + 2.2 + 2.4]

Part 3. PAYMENTS BY TRUSTEE — The trustee will pay from available funds only to creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ **4,440.00** [line 2.5 x .10]

Part 4. ADEQUATE PROTECTION PAYMENTS (§ 1326(a)(1)(C)) — The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

	Creditor	Monthly Payment	Number of payments	Total Payments
4.1	Flagship Credit Acceptance	\$194.33	2	\$388.66
	TOTAL			\$388.66

Part 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] — The debtor assumes the following executory contracts or unexpired leases. Debtor will pay directly to creditors all payments that come due after the date the petition was filed. Cure provisions, if any, are set forth in Part 8.

	Creditor	Description of Property
	-NONE-	

Part 6. CLAIMS NOT IN DEFAULT — Payments on the following claims are current and the debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any.

	Creditor	Description of Property
	-NONE-	

Part 7. HOME MORTGAGES IN DEFAULT (§§ 1322(b)(5) and 1322(e)) — The trustee will cure payment defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens. **All following entries are estimates.** The trustee will pay the actual amounts of default.

	Creditor	Amount of default	Monthly payment	Beginning in month #	Number of payments	Total payments
	-NONE-					
	TOTAL					\$0.00

Part 8. CLAIMS IN DEFAULT (§§ 1322 (b)(3) and (5) and 1322(e)): The trustee will cure payment defaults on the following claims as set forth below. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any. **All following entries are estimates, except for interest rate.**

	Creditor	Amount of default	Interest rate (if any)	Monthly payment	Beginning in month #	Number of payments	Total payments
	-NONE-						
	TOTAL						\$0.00

Part 9. SECURED CLAIMS SUBJECT TO MODIFICATION (“CRAMDOW”) PURSUANT TO § 506 (§ 1325(a)(5)) (secured claim amounts in this Part control over any contrary amount except for secured claims of governmental units): The trustee will pay, on account of the following allowed secured claims, the amount set forth in the “Total Payments” column below. Unless otherwise specified in Part 17, the creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor’s discharge, and if this case is dismissed or converted without completion of the plan, such liens shall also be retained by such holders to the extent recognized by applicable nonbankruptcy law. **Notwithstanding a creditor’s proof of claim filed before or after confirmation, the amount listed in this Part as a creditor’s secured claim binds the creditor pursuant to 11 U.S.C. § 1327 and confirmation of the plan is a determination of the creditor’s allowed secured claim.** For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with FRBP 3012(c) controls over any contrary amount.

	Creditor	Claim amount	Secured Claim	Int. rate	Beginning in month #	Monthly payment	X Num of pmts.	= Plan pmts	+ Adq. Pro. from Part 4	Total payments
9.1	Flagship Credit Acceptance	\$23,379.00	\$8,397.00	5.25	3	\$ 194.33	46	\$8,939.15	\$388.66	\$9,327.81
	TOTAL									\$9,327.81

Part 10. SECURED CLAIMS EXCLUDED FROM § 506 AND NOT SUBJECT TO MODIFICATION (“CRAMDOW”) (§ 1325(a)) (910 vehicles and other things of value)(allowed secured claim controls over any contrary amount): The trustee will pay in full the amount of the following allowed secured claims. **All following entries are estimates, except for interest rate.** The creditors will retain liens. Unmodified 910 claims not in default are addressed in Part 6. Unmodified 910 claims in default are addressed in Part 8.

	Creditor	Claim amount	Int. rate	Beginning in month #	Monthly payment	X Num of pmts	= Plan payments	+ Adq. Pro. from Part 4	Total payments
	-NONE-								
	TOTAL								\$0.00

Part 11. PRIORITY CLAIMS (not including claims under Part 12): The trustee will pay in full all claims entitled to priority under § 507(a)(2) through (a)(10), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in Month #	Number of payments	Total payments
11.1	Attorney Fees	\$3,500.00	\$583.33	1	6	\$3,500.00
11.2	Internal Revenue Service	\$1.00	\$1.00	6	1	\$1.00
11.3	MN Dept of Revenue	\$1.00	\$1.00	6	1	\$1.00
	TOTAL					\$3,502.00

Part 12. DOMESTIC SUPPORT OBLIGATION CLAIMS: The trustee will pay in full all domestic support obligation claims entitled to priority under § 507(a)(1), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in Month #	Number of payments	Total payments
	-NONE-					
	TOTAL					\$0.00

Part 13. SEPARATE CLASSES OF UNSECURED CLAIMS — In addition to the class of unsecured claims specified in Part 14, there shall be separate classes of non-priority unsecured creditors described as follows: **-NONE-**
The trustee will pay the allowed claims of the following creditors. **All entries below are estimates.**

	Creditor	Estimated claim	Interest Rate (if any)	Monthly Payment	Beginning in Month #	Number of Payments	Total payments
	-NONE-						
	TOTAL						\$0.00

Part 14. TIMELY FILED UNSECURED CLAIMS — The trustee will pay holders of non-priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under Parts 3, 7, 8, 9, 10, 11, 12 and 13 their pro rata share of approximately \$ **27,130.19** [line 2.5 minus totals in Parts 3, 7, 8, 9, 10, 11, 12 and 13].

14.1 The debtor estimates that the total unsecured claims held by creditors listed in Part 9 are \$ **14,982.00**.

14.2 The debtor estimates that the debtor's total unsecured claims (excluding those in Part 9 and 13) are \$ **26,688.72**.

14.3 Total estimated unsecured claims are \$ **26,688.72** [lines 14.1 + 14.2].

Part 15. TARDILY-FILED UNSECURED CREDITORS — All money paid by the debtor to the trustee under Part 2, but not distributed by the trustee under Parts 3, 4, 7, 8, 9, 10, 11, 12, 13 and 14, will be paid to holders of allowed nonpriority unsecured claims for which proofs of claim were tardily filed.

Part 16. SURRENDER OF COLLATERAL AND REQUEST FOR TERMINATION OF STAY: The debtor has surrendered or will surrender the following property to the creditor. The debtor requests that the stays under §§ 362(a) and §§ 1301(a) be terminated as to the surrendered collateral upon confirmation of the plan.

	Creditor	Description of Property (including complete legal description of real property)
	-NONE-	

Part 17. NONSTANDARD PROVISIONS: The Trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. Any nonstandard provisions, as defined in FRBP 3015(c), must be in this Part. Any nonstandard provision placed elsewhere in the plan is void. Any request by the debtor to modify a claim secured only by a security interest in real property that is the debtor's principal residence must be listed in this Part and the debtor must bring a motion to determine the value of the secured claim pursuant to Local Rule 3012-1(a).

17.1	<p>This is a 100% plan. General unsecured non-priority claims that are timely filed shall be paid in full with interest at the federal judgment rate, which is currently 2.41%.</p> <p>Claims filed as secured but for which the plan makes no express provision shall be paid as unsecured claims as set forth in Part 14 above.</p> <p>A proof of claim may be filed by the Internal Revenue Service (IRS) for a claim against the debtor(s) for taxes that become payable to the IRS post-petition, limited to only the tax year for which the bankruptcy case was filed. The trustee shall pay such claim as submitted as funds are available pursuant to 11 U.S.C. Statute 1305.</p> <p>The debtor shall send the Trustee each year during the Chapter 13 Plan, copies of his/her federal and state income tax returns at the time they are filed. If the debtor receives a refund from the federal taxing agency but owes the state taxing agency (or vice-versa), the debtor will net the two out and pay the trustee the amount over \$1,200 for a single filer, or \$2,000 for a joint filer (not including any Earned Income Credit or Working Family Credit). Any additional amounts shall be turned over to the Chapter 13 trustee as additional plan payments.</p> <p>Late filed claims are subject to objection per 11 U.S.C. §502(b)(9).</p> <p>APPROVAL NOT REQUIRED TO INCUR POST PETITION DEBT. Approval by the bankruptcy court, or Chapter 13 trustee, shall not be required prior to debtor incurring ordinary consumer debt while this case is pending. Letters of approval will not be provided by the Chapter 13 trustee and one is not needed for debtor to incur post-petition ordinary consumer debt in Minnesota. All parties in interest retain all rights regarding the treatment of this debt in future modified plans and motions to confirm such plans.</p> <p>Upon the granting of relief from the automatic stay, the trustee shall cease payments on account of the secured portion of the applicable claim. For any claim arising from the granting of relief from the automatic stay, surrender, foreclosure, repossession, or return of any collateral to any creditor listed in Parts 5, 6, 7, 8, 9, 10, 16 or Non-standard provisions, for any reason, including plan modification, the trustee shall pay such claim as a general unsecured claim upon amendment of the applicable claim. Any alleged balance of any claim to such creditor shall be discharged upon</p>
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	the debtor(s) receiving a discharge in this case.
	All secured creditors being paid direct (outside the Chapter 13 plan) on the plan shall, upon confirmation of the plan, send debtor(s) monthly statements and are authorized to speak to debtor about post-petition payments.
17.2	

Class of Payment		Amount to be paid
Payments by trustee [Part 3]	\$	4,440.00
Home mortgages in Defaults [Part 7]	\$	0.00
Claims in Default [Part 8]	\$	0.00
Secured claims subject to modification (cramdown) pursuant to § 506 [Part 9]	\$	9,327.81
Secured claims excluded from § 506 [Part 10]	\$	0.00
Priority Claims [Part 11]	\$	3,502.00
Domestic support obligation claims [Part 12]	\$	0.00
Separate classes of unsecured claims [Part 13]	\$	0.00
Timely filed unsecured claims [Part 14]	\$	27,130.19
TOTAL (must equal line 2.5)	\$	44,400.00

Certification regarding nonstandard provisions:

I certify that this plan contains no nonstandard provision except as placed in Part 17.

Signed: /s/ Margaret R. Henehan
Margaret R. Henehan 0395419
Attorney for debtor or debtor if pro se

Signed: /s/ Kathryn Irene Fossum
Kathryn Irene Fossum
Debtor 1

Signed: _____
Debtor 2 (if joint case)

Certificate of Notice Page 5 of 6

United States Bankruptcy Court
District of MinnesotaIn re:
Kathryn Irene Fossum
DebtorCase No. 19-31554-KAC
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0864-3

User: Alicia
Form ID: pdf008Page 1 of 2
Total Noticed: 43

Date Rcvd: May 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 17, 2019.

db +Kathryn Irene Fossum, 15610 Eagle Bay Dr, Apple Valley, MN 55124-7854
smg +United States Attorney, 600 US Courthouse, 300 S 4th St, Minneapolis, MN 55415-3070
62247772 +Alltran Financial, PO Box 610, Sauk Rapids MN 56379-0610
62247775 +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington DE 19850-5298
62247780 +Diversified Adjustment, 600 Coon Rapids Blvd, Minneapolis MN 55433-5549
62247781 Elastic/Republic Bank and Trus, PO Box 950276, Louisville KY 40295-0276
62247782 +FedLoan Servicing, Attn: Bankruptcy, Po Box 69184, Harrisburg PA 17106-9184
62247784 +Finwise Rise, 4150 International Plaza, Fort Worth TX 76109-4892
62247786 Flagship Credit Acceptance, PO BOX 975658, Dallas TX 75397-5658
62247787 +Flagship Credit Acceptance, 2345 Rice St #230, Roseville MN 55113-3769
62247788 +GREEN TRUST CASH LLC, PO BOX 340, HAYS MT 59527-0340
(address filed with court: Green Trust Cash, LLC, PO Box 330, Hays MT 59527)
62247791 +Julianne Miller, 6800 France Ave S, Suite 560, Edina MN 55435-2019
62247793 +Loans at Last, PO BOX 1193, Lac Du Flambeau WI 54538-1193
62247797 +Municipal Collections of Ameri, 3348 Ridge Rd, Lansing IL 60438-3112
62247800 +NCB Management Services, Attn: Bankruptcy, One Allied Drive, Treveose PA 19053-6945
62247798 +Navient, Attn: Bankruptcy, Po Box 9000, Wiles-Barr PA 18773-9000
62247802 +Park Nicollet, PO BOX 9158, Minneapolis MN 55480-9158
62247805 +Stewart, Zlmen & Jungers, 2860 Patton Road, Roseville MN 55113-1100
62247806 Target Card Services, Attn: Bankruptcy, PO Box 660170, Dallas TX 75266-0170
62247807 +U.S. Department of Education, Ecmc/Bankruptcy, Po Box 16408, Saint Paul MN 55116-0408
62247808 +Wells Fargo Financial Nat Bank, 800 Walnut St, Doc Dept MAC F4030-04C,
Des Moines IA 50309-3605
62247809 +Wells Fargo/Slumberland Furniture, Attn: Bankruptcy, Pob 10438 Mac F8235-02f,
Des Moines IA 50306-0438
62247810 +Zocoloans, 27565 Research Park Dr, PO BOX 1147, Mission SD 57555-1147

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg +E-mail/Text: mdor.bkysec@state.mn.us May 15 2019 22:44:32 Minnesota Department of Revenue,
Bankruptcy Section, PO Box 64447, St Paul, MN 55164-0447
smg +E-mail/Text: ustpregion12.mn.ecf@usdoj.gov May 15 2019 22:44:36 US Trustee,
1015 US Courthouse, 300 S 4th St, Minneapolis, MN 55415-3070
62247773 +E-mail/Text: bankruptcy@ldf-holdings.com May 15 2019 22:45:28 Bridge Lending Solutions,
PO Box 481, Lac Du Flambeau WI 54538-0481
62247774 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 15 2019 22:45:58 Capital One,
Attn: Bankruptcy, PO Box 30285, Salt Lake City UT 84130-0285
62247776 +E-mail/Text: bk@coastprofessional.com May 15 2019 22:44:52 Coast Professional, Inc.,
PO BOX 2899, West Monroe LA 71294-2899
62247777 +E-mail/Text: kzoepfel@credit-control.com May 15 2019 22:44:53 Credit Control, LLC,
5757 Phantom Dr #330, Hazelwood MO 63042-2429
62247778 +E-mail/PDF: creditonebknofications@resurgent.com May 15 2019 22:57:49 Credit One Bank,
Po Box 98875, Las Vegas NV 89193-8875
62247779 +E-mail/PDF: creditonebknofications@resurgent.com May 15 2019 22:57:49 Credit One Bank,
Attn: Bankruptcy Department, Po Box 98873, Las Vegas NV 89193-8873
62247783 E-mail/Text: JCAP_BNC_Notices@jcap.com May 15 2019 22:45:08 Fingerhut- Jefferson Capital,
Attn: Bankruptcy, PO BOX 772813, Chicago IL 60677-2813
62247785 +E-mail/Text: bankruptcy@flagshipcredit.com May 15 2019 22:45:08 Flagship Credit Acceptance,
Po Box 965, Chadds Ford PA 19317-0643
62247789 E-mail/Text: cio.bncmail@irs.gov May 15 2019 22:44:41 Internal Revenue Service,
Centralized Insolvency, PO Box 7346, Philadelphia PA 19101-7346
62247790 E-mail/Text: JCAP_BNC_Notices@jcap.com May 15 2019 22:45:08 Jefferson Capital Systems, LLC,
Po Box 1999, Saint Cloud MN 56302
62247792 +E-mail/Text: bncnotices@becket-lee.com May 15 2019 22:44:38 Kohls/Capital One,
N56 W 17000 Ridgewood Dr, Menomonee Falls WI 53051-5660
62247794 +E-mail/PDF: resurgentbknofications@resurgent.com May 15 2019 22:57:31
LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville SC 29603-0497
62247796 +E-mail/Text: mdor.bkysec@state.mn.us May 15 2019 22:44:32 MN Dept of Revenue,
Attn: Denise Jones, PO Box 64447, Saint Paul MN 55164-0447
62247795 +E-mail/Text: bkr@cardworks.com May 15 2019 22:44:30 Merrick Bank/CardWorks,
Attn: Bankruptcy, Po Box 9201, Old Bethpage NY 11804-9001
62247799 +E-mail/PDF: pa_dc_claims@navient.com May 15 2019 22:46:22 Navient, Po Box 9500,
Wilkes Barre PA 18773-9500
62247801 +E-mail/Text: bnc@nordstrom.com May 15 2019 22:44:39 Nordstrom Card Services,
Attn: Bankruptcy, 13531 E. Caley Ave, Centennial CO 80111-6505
62247803 +E-mail/Text: bk@rgsfinancial.com May 15 2019 22:44:34 Rgs Financial,
1700 Jay Ell Dr Ste 200, Richardson TX 75081-6788
62247804 +E-mail/Text: elevate@ebn.phinsolutions.com May 15 2019 22:45:27 Rise Credit,
PO BOX 101808, Fort Worth TX 76185-1808

TOTAL: 20

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

District/off: 0864-3

User: Alicia
Form ID: pdf008

Page 2 of 2
Total Noticed: 43

Date Rcvd: May 15, 2019

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 17, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 13, 2019 at the address(es) listed below:

Margaret R. Henehan on behalf of Debtor 1 Kathryn Irene Fossum mhenehan@kainscott.com,
bbabatz@kainscott.com
US Trustee ustpreion12.mn.ecf@usdoj.gov

TOTAL: 2